

ATTENTION: APPLICATIONS BRANCH

**THIS IS A RESPONSE TO A
NOTICE TO FILE MISSING
PARTS OF APPLICATION**

ATTORNEYS AT LAW

RICHARD D. KELLY
(703) 412-6241
RKELLY@OBLON.COM

JAMES J. KELLY
(703) 413-3000
JKELLY@OBLON.COM

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Re: Serial No.: 10/024,339
Applicant(s): Vincenzo CANNATA et al.
Filing Date: DECEMBER 21, 2001
For: STABLE GABAPENTIN COMPOSITIONS

SIR:

Attached hereto for filing are the following papers:

**Filing of Declaration Under 37 CFR §1.53(f)
Declaration, Power of Attorney and Petition (3 pages executed)
Fee Transmittal (in duplicate)
Return Copy - Notice to File Missing Parts of Application**

Our check in the amount of \$1,908.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the U.S. Patent and Trademark Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. §1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. §1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

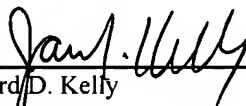
OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Docket No. 217689US40



22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 11/98)


Richard D. Kelly
Registration No. 27,757

James J. Kelly, Ph.D.
Registration No. 41,504

Docket No. 217689US40

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) Vincenzo CANNATA et al.

SERIAL NO: 10/024,339

FILING DATE: DECEMBER 21, 2001

FOR: STABLE GABAPENTIN COMPOSITIONS



FEE TRANSMITTAL

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

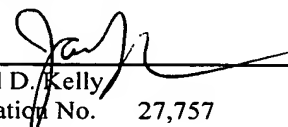
FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	73 - 20 =	53	× \$18 =	\$954.00
INDEPENDENT CLAIMS	4 - 3 =	1	× \$84 =	\$84.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS (If applicable)			+ \$280 =	\$0.00
<input checked="" type="checkbox"/> LATE FILING OF DECLARATION			+ \$130 =	\$130.00
BASIC FEE				\$740.00
TOTAL OF ABOVE CALCULATIONS				\$1,908.00
<input type="checkbox"/> REDUCTION BY 50% FOR FILING BY SMALL ENTITY				\$0.00
<input type="checkbox"/> FILING IN NON-ENGLISH LANGUAGE			+ \$130 =	\$0.00
<input type="checkbox"/> RECORDATION OF ASSIGNMENT			+ \$40 =	\$0.00
TOTAL				\$1,908.00

- ☐ Please charge Deposit Account No. 15-0030 in the amount of _____ A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of **\$1,908.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Date: 02/22/02


Richard D. Kelly
Registration No. 27,757

James J. Kelly, Ph.D.
Registration No. 41,504



22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/00)

Docket No. 217689US40

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Vincenzo CANNATA et al.

SERIAL NUMBER: 10/024,339

ATTN: APPLICATION BRANCH

FILING DATE: DECEMBER 21, 2001

FOR: STABLE GABAPENTIN COMPOSITIONS



FILING OF DECLARATION UNDER 37 CFR 1.53(f)

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the notification dated **February 4, 2002**, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration. The required fee was paid at the time of filing the application.

The Declaration enclosed herewith contains the Title of the Invention and Inventor(s) name(s) and is believed, in combination with the attorney statement set forth below, to adequately identify the above-identified application in accordance with 37 CFR 1.63, as set forth in MPEP Section 601.01.

The undersigned hereby states that the specification filed on **December 21, 2001**, is in fact the application which the Inventor(s) executed by signing the enclosed Declaration.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.


Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/98)



Richard D. Kelly
Attorney of Record
Registration No. 27,757

James J. Kelly, Ph.D.
Registration No. 41,504



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/024,339	12/21/2001		217689US40

CONFIRMATION NO. 4736

FORMALITIES LETTER



OC000000007411957

22850
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202



Date Mailed: 02/04/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1038.
 - \$954 for 53 total claims over 20.
 - \$84 for 1 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1908.**

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/27/2002 NYO/HAN/1 000000088 10024339

01 FC:103	954.00	PP
02 FC:102	84.00	PP
03 FC:105	130.00	PP
04 FC:101	740.00	PP